

# COPY

## DECLARATION FOR PATENT APPLICATION

Docket No. 98-180/102

As an inventor named below, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SUBSTANTIALLY NON-TOXIC BIOLOGICALLY ACTIVE MUCOSAL ADJUVANTS IN VERTEBRATE SUBJECTS, the specification of which

(check one)  is attached hereto.

was filed on October 8, 1998 as Application Serial No.  
09/168,910 and was amended on \_\_\_\_\_  
(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations 1.56(a). In compliance with this duty, an Information Disclosure Statement in accordance with Title 37, Code of Federal Regulations 1.97

is attached hereto.

(check one)  will be submitted later (if necessary).

was filed with patent application

I hereby claim priority benefits under Title 35, United States Code 119, of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Application(s)	Priority Claimed
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<u>None</u> (Number)	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	Yes	No
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<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	Yes	No
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<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	Yes	No
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I hereby claim the benefit under Title 35, United States Code 120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations 1.56(a), which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>None</u> (Application Serial No.)	<u>(Filing Date)</u>	<u>(Status--patented, pending, abandoned)</u>
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<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status--patented, pending, abandoned)</u>
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PATENT

Atty Docket: 180/102

ASSIGNMENT

WHEREAS, we, Herman F. Staats, of Durham, North Carolina, and Barton F. Haynes, of Durham, North Carolina, Dhavalkumar D. Patel of Durham, North Carolina, and Gregory D. Sempowski of Durham, North Carolina (hereinafter "Assignors"), have invented certain new and useful improvements in SUBSTANTIALLY NON-TOXIC BIOLOGICALLY ACTIVE MUCOSAL ADJUVANTS IN VERTEBRATE SUBJECTS for which we made application for Letters Patent of the United States on October 8, 1998, Serial No. 09/168,910.

AND, WHEREAS, Duke University, a non-profit organization located at Durham, North Carolina, (hereinafter "Assignee"), is desirous of acquiring an interest therein.

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors have sold and by these presents do hereby sell, assign, transfer and convey unto the said Assignee, its successors and assigns, their entire right, title and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted, together with their right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignors if this assignment and sale had not been made.

Assignors hereby request that said Letters Patent be issued in accordance with this assignment.

100-105090-20147472

I hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Richard E. Jenkins (Registration No. 28,428); Jennifer L. Skord (Registration No. 30,687); Jeffrey L. Wilson (Registration No. 36,058); Arles A. Taylor, Jr. (Registration No. 39,395); and/or Gregory A. Stephens (Registration No. 41,329).

Address all telephone calls to Richard E. Jenkins or Jennifer L. Skord or Jeffrey L. Wilson or Arles A. Taylor, Jr., or Gregory A. Stephens at telephone number (919) 493-8000.

Address all correspondence to:

Jenkins & Wilson, P.A.  
Suite 1400 University Tower  
3100 Tower Boulevard  
Durham, North Carolina 27707

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Herman F. Staats  
Inventor's signature H.F. Staats Date 12-22-98  
Residence Durham, North Carolina Citizenship USA  
PostOfficeAddress 325 Clark Street, Apt. B  
Durham, North Carolina 27710

Full name of second joint inventor, if any Barton F. Haynes  
Inventor's signature B.F. Haynes Date 12-28-98  
Residence Durham, North Carolina Citizenship USA  
PostOfficeAddress 3923 Wentworth Street  
Durham, North Carolina 27707

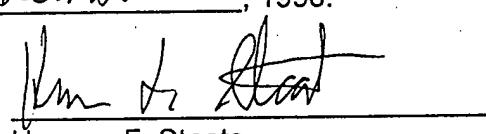
Full name of third joint inventor, if any Dhavalkumar D. Patel  
Inventor's signature D. Patel Date 12/22/98  
Residence Durham, North Carolina Citizenship USA  
PostOfficeAddress 3012 Deerchase Wynd  
Durham, North Carolina 27712

Full name of fourth joint inventor, if any Gregory D. Sempowski  
Inventor's signature G.D. Sempowski Date 12/22/98  
Residence Durham, North Carolina Citizenship USA  
PostOfficeAddress 3011 Appling Way  
Durham, North Carolina 27703

Assignors further covenant and agree that, at the time of the execution and delivery of these presents, Assignors possess full title to the invention and application above-mentioned, and that they have the unencumbered right and authority to make this assignment.

Assignors further covenant and agree, and likewise bind their heirs, legal representatives and assigns, to promptly communicate to said Assignee or its representatives any facts known to them relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the Assignee, its representatives, successors and assigns to secure patent or similar protection for the said invention in all countries and to vest in the Assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said Assignee, its successors, assigns and other legal representatives.

Executed this 22 day of December, 1998.



Herman F. Staats

Witnessed by:

Joyce McWhorter    12/22/98  
Name                      Date

Jane Glenn    12/22/98  
Name                      Date

Executed this 29<sup>th</sup> day of December, 1998.

Barton F. Haynes  
Barton F. Haynes

Witnessed by:

Paul A. Thacker Jr. 12/29/98  
Name Date

Dawn M. Loney 12/29/98  
Name Date

Executed this 22<sup>nd</sup> day of December, 1998.

Dhavalkumar D. Patel  
Dhavalkumar D. Patel

Witnessed by:

Angela Jordan-Hamilton 12/22/98  
Name Date

Karen A. Greenleaf 12/22/98  
Name Date

Executed this 22<sup>nd</sup> day of December, 1998.

Gregory D. Schipowski  
Gregory D. Schipowski

Witnessed by:

Angela Jordan-Hamilton 12/22/98  
Name Date

Karen A. Greenleaf 12/22/98  
Name Date

**COPY**

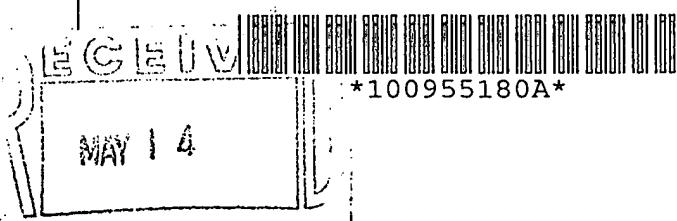


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MAY 06, 1999

PTAS

JENKINS & WILSON, P.A.  
ARLES A. TAYLOR, JR.  
3100 TOWER BOULEVARD  
SUITE 1400, UNIVERSITY TOWER  
DURHAM, NC 27707



**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/19/1999

REEL/FRAME: 9744/0445  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
STAATS, HERMAN F.

DOC DATE: 12/22/1998

ASSIGNOR:  
HAYNES, BARTON F.

DOC DATE: 12/29/1998

ASSIGNOR:  
PATEL, DHAVALKUMAR D.

DOC DATE: 12/22/1998

ASSIGNOR:  
SEMPOWSKI, GREGORY D.

DOC DATE: 12/22/1998

ASSIGNEE:  
DUKE UNIVERSITY  
230 NORTH BUILDING  
RESEARCH DRIVE  
DURHAM, NORTH CAROLINA 27710

SERIAL NUMBER: 09168910  
PATENT NUMBER:

FILING DATE: 10/08/1998  
ISSUE DATE:

KIMBERLY WHITE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

MFD 1-19-99

Form PTO-1595

(Rev. 6-93)

OMB No. 0651-0011 (exp. 4-94)

F

02-03-1999



HEL.

U.S. DEPARTMENT OF COMMERCE  
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To the Honorable Commissioner or

100955180

Attached original documents or copy thereof.

1. Name of conveying party(ies):  
Herman F. Staats  
325 Clark Street, Apt. B.  
Durham, North Carolina 27710

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

- Assignment  
 Security Agreement  
 Other \_\_\_\_\_

- Merger JAN 19 1999  
 Change of Name

Execution Date: December 29, 1998

4. Application number(s) or patent number(s): 09/168,910

If this document is being filed together with a new application, the execution date of the application is: N/A

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Jenkins &amp; Wilson, P.A.

Inlomial Address: \_\_\_\_\_

Street Address: Suite 1400, University Tower

3100 Tower Boulevard

City: Durham State: NC ZIP: 27707

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

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1/27/1999 AMOHAMME 00000009 09168910

02 RC:581 Statement and signature. 40.00 OP

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Arles A. Taylor, Jr.

Name of Person Signing

Signature

1/14/99

Date

5

Total number of pages including cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

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Patent and Trademark Office

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PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

2. Name and address of receiving party(ies)

Continued .....

Barton F. Haynes  
3923 Wentworth Street  
Durham, North Carolina 27707

Dhavalkumar D. Patel  
3012 Deerchase Wynd  
Durham, North Carolina 27712

Gregory D. Sempowski  
3011 Appling Way  
Durham, North Carolina 27703